



discovery responses evidences that a protective order is needed. This is more of the same from the Defendant in this case—delay, delay, delay.<sup>1</sup>

Defendant's discovery responses, a copy of which Defense counsel states he has provided to the Court, make clear that counsel for the Defendant has not even spoken to Sheikh Issa. For example, with regard to the request pertaining to good purchased at A. Taghi in the Galleria: How can the Sheikh not have information as to whether he shopped at Taghi? Ali Taghi, who owns the men's store and who speaks Arabic, became a personal friend of the Sheikh. To answer this particular question the way it is answered demonstrates that the Sheikh was never consulted about these issues. The responses provided by Defense counsel are nothing more than a regurgitation of the facts set forth in Plaintiffs' Complaint. Importantly, the Defendant did not even verify his own responses. Plaintiffs again submit to the Court that the Defendant himself is simply not participating in this case at all. Furthermore, the Defendant is not even in the U.A.E., but is instead residing in Germany.

With regard to the Plaintiffs' discovery questions regarding the pictures: As set forth elsewhere, Plaintiffs rightfully believe that, if the Defendant is practically above the law for his conduct demonstrated in the pictures, then it is ridiculous to expect that Plaintiffs can obtain a fair trial in the U.A.E. The requests pertaining to the pictures are thus directly relevant to the forum non conveniens issue.

Finally, Plaintiffs submit to the Court that, despite Plaintiffs' efforts at diligence, the Defendant in this case has not made the same effort. It is simply not true that business is not

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<sup>1</sup> Plaintiffs are also very concerned with the way in which Defendant has cited cases in support of various propositions set forth in his pleadings. As an example, in Defense counsel's letter he cites to the case *Vasquez v. Bridgestone/Firestone, Inc.* to support the proposition that the pictures of the Sheikh's torture have no bearing whatsoever on the determination of the forum non conveniens issue. In fact, this case offers absolutely no support for this proposition, other than setting forth in general the law of forum non conveniens. This is just one example of many.

conducted during Ramadan. To suggest otherwise evidences a complete lack of understanding of Ramadan and its practices. Those who observe Ramadan fast from sunup to sun down. However, they continue to work and go about their other activities. They continue to travel, as necessary. Schools don't close; businesses don't close.<sup>2</sup>

In a separate pleading, Plaintiff intends to respond fully to Defendant's Motion for Protection.

Respectfully submitted,

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<sup>2</sup> The Court might recall when Hakeem Olajuwon played for the Houston Rockets. He played during Ramadan, however, he fasted from dawn to dusk, even on game days. See [http://en.wikipedia.org/wiki/Hakeem\\_Olajuwon](http://en.wikipedia.org/wiki/Hakeem_Olajuwon). The Court can also review <http://en.wikipedia.org/wiki/Ramadan> for a discussion of Ramadan.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document will be served or has been served on all interested parties in accordance with the Federal Rules of Civil Procedure on the **29<sup>th</sup> day of September, 2008**. Service on E-Filing Users will be automatically accomplished through the Notice of Electronic Filing; non-Filing Users will be served by certified mail, return receipt requested and/or via facsimile.

/s/ Tony Buzbee

Tony Buzbee